

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

TARVISIUM HOLDINGS, LLC, <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:19-CV-0086-DGK
)	
DUKAT, LLC, <i>et al.</i> ,)	
)	
Defendants.)	

**PLAINTIFFS' SUPPLEMENTAL SUGGESTIONS ON THE APPLICATION OF THE
AUTOMATIC STAY AS TO THE NON-DUKAT, LLC DEFENDANTS**

COME NOW Plaintiffs, pursuant to the Court's Order of September 14, 2021 (Dkt. No. 256), and for their Supplemental Suggestions on the Application of the Automatic Stay as to the Non-Dukat, L.L.C. Defendants, state as follows:

1. On August 19, 2021, the Honorable Kathryn C. Ferguson entered an Order in Dukat's New Jersey bankruptcy adversary proceeding (Adv. Pro. No. 21-01315 (KCF)) regarding the extension of the automatic stay to the non-Dukat Defendants. A true and correct copy of that Order is attached hereto and incorporated by reference as **Exhibit # 1**.

2. In sum, Judge Ferguson extended the automatic stay and entered a preliminary injunction against Plaintiffs as to non-Debtors Elliott Kattan and Mourad Kattan through September 21, 2021, at which time Dukat's plan of reorganization is due to be filed. Judge Ferguson declined to extend the stay to non-Debtors Benjamin Schwartz and 36Lower, Inc.

Respectfully submitted:

**ROUSE FRETS WHITE GOSS
GENTILE RHODES, P.C.**

/s/ R. Todd Ehlert

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CERTIFICATE OF SERVICE

The undersigned hereby confirms that on this 15th day of September, 2021, a copy of the foregoing was filed via the Court's electronic filing system, and a copy was mailed to the following:

Benjamin Schwartz
37 Herrick Avenue
Teaneck, NJ 07666

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Edison, NJ 08817

/s/ R. Todd Ehlert

Attorney for Plaintiffs